

## CITY OF SAN BRUNO



567 El Camino Real  
San Bruno, CA 94066  
Voice: (650) 616-7074  
Fax: (650) 873-6749  
<http://www.ci.sanbruno.ca.us>

### STAFF

Terry Jackson, *Interim Community Development Director*  
Gary Binger, *Interim Planning Director*  
Aaron Aknin, AICP, *Planning Manager*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Beilin Yu, *Associate Planner*  
Lisa Costa-Sanders, *Contract Planner*  
Tony Rozzi, *Community Development Tech.*  
Pamela Thompson, *City Attorney*

### PLANNING COMMISSIONERS

Joe Sammut, *Chair*  
Sujendra Mishra, *Vice-Chair*  
Mary Lou Johnson  
Bob Marshall Jr.  
Kevin Chase  
Rick Biasotti  
Perry Petersen

## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING COMMISSION MINUTES

September 6, 2005  
San Bruno Senior Center  
1555 Crystal Springs Blvd.  
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:03 pm

### ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Sammut	x	
Vice Chair Mishra	x	
Commissioner Johnson		x
Commissioner Marshall	x	
Commissioner Chase	x	
Commissioner Biasotti	x	
Commissioner Petersen	x	

### STAFF PRESENT:

Planning Division: Interim Community Development Director: Terry Jackson  
Planning Manager: Aaron Aknin  
Associate Planner: Beilin Yu  
Community Development Technician: Tony Rozzi

City Attorney: Pamela Thompson

Chair Sammut announced that he had a prior commitment at 8 pm and would have to excuse himself then with a 5-minute recess. Vice Chair Mishra would then take over as Chair for the rest of the meeting.

**1. Approval of Minutes – August 16, 2005**

**Motion to Approve Minutes of August 16, 2005 Planning Commission meeting**

**Biasotti/Chase**

VOTE: 6-0  
AYES: All Commissioners Present  
NOES:  
ABSTAIN:

**2. Communication**

None at this time.

**3. Public Comment**

None at this time.

**4. 997 Green Avenue**

Request for a Variance to allow the construction of an addition which proposes to encroach into the required 10'-0" street side yard setback per Sections 12.96.060.D.5 and 12.124 of the San Bruno Zoning Ordinance. HL Design, Inc. (Applicant); Luis Mena (Owner) **V-05-04**

Associate Planner Yu entered staff report.

Chair Sammut requested the Applicant to address the Commission.

Applicant Luis Mena introduced himself and stated that his children continue to grow and they need the increased space for separate children's rooms. Applicant explained that the family would like to stay in the community and make their home larger rather than move away.

Chair Sammut asked if the applicant agreed to the Conditions of Approval. Applicant answered in the affirmative.

Public comment opened.

Public comment closed.

**Motion to approve Variance V-05-04 subject to Findings of Fact (1-11) and Conditions of Approval (1-15).**

**Chase/Marshall**

VOTE: 6-0  
AYES: All Commissioners Present  
NOES:  
ABSTAIN:

**FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, August 26, 2005, and legal notice published in the San Mateo Times, Saturday, August 27, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
8. The off-street parking is adequate for the proposed residence.

9. Property is in the San Bruno Redevelopment Area and the proposed improvements are consistent with the San Bruno Redevelopment Plan.
10. The lot is smaller than the minimum required by the City's Development Code therefore the strict application of the setback requirement will deprive the subject property of privileges enjoyed by other properties in the vicinity.
11. Because redesigning the master bedroom addition to meet the required setback would make the existing living room not contain any windows, the granting of the Variance will not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity.

## **CONDITIONS FOR APPROVAL**

### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Variance 05-04 shall not be valid for any purpose. Variance 05-04 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The proposed deck shall be redesigned to meet the required 3'-0" interior side yard setback. Revised plans must be approved by the Community Development Director prior to Building and Safety Division review.
4. The request for a Variance for an addition shall be built according to plans approved by the Planning Commission on September 6, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
5. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
6. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.

7. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
8. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

**Department of Public Works – (650) 616-7065**

9. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit. Talk to Engineering.
10. A sanitary sewer lateral clean-out shall be installed at property line, per City standards detail SS-01.
11. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter. Talk with Engineering.
12. Paint address number on face of Green Avenue curb near driveway approach. Black lettering on white background.
13. No fence, retaining wall or other permanent structure shall be placed within 2' from back of the sidewalk.
14. Planting of one (1) 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.
15. During the Building/Planning Review or site visit, it was noticed that you have a fence on Green Avenue built within the City public right-of-way. In accordance with San Bruno City Code Section 8.08.010 and or Section 5.04.070, this structure is prohibited. You are not required to remove it at this time, you need to be aware that it may be located over top of a public utility. If an emergency does arise that requires City or approved contractor crews to access this utility, the City and or contractor, will not be responsible for any cost associated with the removal or repair of the structure.

Chair Sammut advised of 10-day appeal period.

**5. 816 4<sup>th</sup> Avenue**

Request for a Conditional Use Permit to allow the construction of first and second floor additions, which proposes to increase the Gross Floor Area by more than 50% per

Section 12.200.030.B.1 of the San Bruno Zoning Code. Magda McKearin (Applicant); Rufino Velazquez (Owner) **UP-05-48**

Associate Planner Yu entered staff report.

Commissioner Marshall asked whether the driveway, as shown in the proposed plans, was wide enough to meet the zoning ordinance. Associate Planner Yu answered that the applicant met the required 10' driveway width. Commissioner Marshall also requested clarification on the length from the proposed garage to the property fence line. Associate Planner Yu suggested that the applicant might be able to better answer that question.

Chair Sammut asked if the ARC requests were met by the applicant, particularly the request to provide finished material examples. Associate Planner Yu replied that the applicant had brought examples to the Commission meeting.

Commissioner Chase asked about the open code enforcement issue regarding the garage. Associate Planner Yu answered that it would be addressed as part of the proposal and in the conditions of approval. The garage will have to be removed in order to make way for the proposed addition.

Commissioner Petersen asked for clarification on the p. 2 chart statistic with an asterisk. Associate Planner Yu responded that the statistic was asterisked to denote that the non-permitted garage was not included in the Existing Lot coverage and Floor Area calculations.

Applicant Magda McKearin introduced herself and submitted finished material samples. They plan to match the existing home as well as the neighborhood. Applicant also stated that the radius of the driveway complies with zoning and the width is existing.

Commissioner Chase requested clarification on the choice of color samples. Applicant answered that the Navajo White was the major color and the Sierra White was the trim color.

Commissioner Biasotti requested that per the discussion at Architecture Review, the attic space would be for storage. Applicant answered in the affirmative.

Chair Sammut asked applicant if she agreed to conditions of approval. Applicant answered in the affirmative.

Public comment opened.

Public comment closed.

**Motion to approve Use Permit 05-48 subject to Findings of Fact 1-9 and Conditions of Approval 1-15**

## Chase/Mishra

VOTE: 6-0  
AYES: All Commissioners Present  
NOES:  
ABSTAIN:

### **FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, August 26, 2005, and legal notice published in the San Mateo Times, Saturday, August 27, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
8. The off-street parking is adequate for the proposed residence.
9. Property is in the San Bruno Redevelopment Area and the proposed improvements are consistent with the San Bruno Redevelopment Plan.

## **CONDITIONS FOR APPROVAL**

### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-48 shall not be valid for any purpose. Use Permit 05-48 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on September 6, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

### **Department of Public Works – (650) 616-7065**

8. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
9. A sanitary sewer lateral clean-out shall be installed at property line, per City standards detail SS-01.



10. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter. Drain to landscape or bubble-up 2'-0" behind sidewalk allowed.
11. No fence, retaining wall or other permanent structure shall be placed within 2' from back of the sidewalk.
12. Paint address number on face of Green Avenue curb near driveway approach. Black lettering on white background.
13. Planting of one (1) 36-inch box size tree or payment of \$540.00 to tree fund for tree(s) and installation.
14. During the Building/Planning Review or site visit, it was noticed that you have planters built within the City public right-of-way. In accordance with San Bruno City Code Section 8.08.010 and or Section 5.04.070, this structure is prohibited. You are not required to remove it at this time, you need to be aware that it may be located over top of a public utility. If an emergency does arise that requires City or approved contractor crews to access this utility, the City and or contractor, will not be responsible for any cost associated with the removal or repair of the structure.
15. Replace all broken or raised concrete in sidewalk or driveway approach as marked per San Bruno Municipal Code 8.12.010, City Standards 7 & 8.

Chair Sammut advised of 10-day appeal period.

## **6. 710 3<sup>rd</sup> Avenue**

Request for a Conditional Use Permit to allow the construction of first and second floor additions, which proposes to increase the Gross Floor Area by more than 50% and which proposes to exceed 1,825 square feet of gross floor area while only providing a 1-car garage per Sections 12.200.030.B.2 and 12.200.080.A.2 of the San Bruno Zoning Ordinance. Kelvin Bandera (Applicant); Emma and Jose Leyva (Owners) **UP-05-49**

Associate Planner Yu entered staff report.

Applicant Emma Leyva introduced herself and stated that they would like to have separate rooms for their children and improve their home's appearance.

Chair Sammut asked if the applicant agreed to conditions of approval. Applicant answered in the affirmative

Chair Sammut inquired if the applicant had provided finished material samples. Applicant answered that they had some ideas but no color examples.

Planning Manager Aknin stated that the Commission could include a condition of approval to require the Community Development Director's approval of the color samples prior to Building and Safety Division submittal and review.

Chair Sammut agreed to this additional Condition of Approval.

Public comment opened.

Public comment closed.

Commissioner Marshall asked whether the Architectural Review Committee considered a change in the roofline to help soften the second story appearance.

Commissioner Chase answered that, as part of ARC, they did not consider this though it might be a good idea to include something like a gable roof.

Chair Sammut stated that a hip roof as suggested might ruin the front elevation's appearance.

**Motion to approve Use Permit 05-49 based on Findings of Fact (1-9) and Conditions of Approval (1-15) with addition of Community Development Director approval of finished materials.**

**Chase/Biasotti**

VOTE: 6-0  
AYES: All Commissioners Present  
NOES:  
ABSTAIN:

### **FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, August 26, 2005, and legal notice published in the San Mateo Times, Saturday, August 27, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.

5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
8. The off-street parking is adequate for the proposed residence.
9. Property is in the San Bruno Redevelopment Area and the proposed improvements are consistent with the San Bruno Redevelopment Plan.

### **CONDITIONS FOR APPROVAL**

#### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-49 shall not be valid for any purpose. Use Permit 05-49 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The existing detached storage structure located in the rear yard shall be removed prior to the final of building permits.
4. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on September 6, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
5. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels

(as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

6. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
7. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
8. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
9. Finished materials and colors must be approved by the Community Development Director prior to Building and Safety Division submittal and review.

**Department of Public Works – (650) 616-7065**

10. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
11. A sanitary sewer lateral clean-out shall be installed at property line, per City standards detail SS-01.
12. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter. Drain to landscape or bubble-up 2'-0" behind sidewalk allowed.
13. No fence, retaining wall or other permanent structure shall be placed within 2' from back of the sidewalk.
14. Paint address number on face of Green Avenue curb near driveway approach. Black lettering on white background.
15. Planting of one (1) 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.

Chair Sammut advised of 10-day appeal period.

## **7. 3004 Longview Drive**

Request for a Conditional Use Permit to allow the construction of an addition which proposes to exceed Floor Area Ratio of .55 and to exceed 2,800 square feet of gross floor area while only providing a 2-car garage per Sections 12.200.030.B.2 and 12.200.080.A.3 of the San Bruno Zoning Ordinance. Hipolito Espinoza (Applicant); Kaithra George (Owner) **UP-05-45**

Associate Planner Yu entered staff report.

Chair Sammut requested clarification on the proposed conditions in the staff report and the Conditions of Approval. Associate Planner Yu answered that the Applicant's revisions were submitted after the staff report completion and so the current staff report information was incorrect. New proposed conditions did not exceed the .55 Floor Area Ratio and staff's request to have the proposal revised by at least 100' was now met.

Commissioner Marshall asked if the plans the Commissioners had were correct. Associate Planner Yu answered that the plans that were passed out prior to the meeting start were current and reflected the revised plot plan to satisfy a staff condition of approval. In the revised plan, the addition was decreased by two (2) feet in the rear.

The applicant Hipolito Espinoza introduced himself as the project designer and said that the proposal had been reduced by 160 sq ft as staff recommended.

Chair Sammut asked if the applicant could provide finished material samples. Applicant answered in the negative but suggested they would use colors similar to those already existing in the neighborhood. Chair Sammut added the Condition of Approval to require the Community Development Director's approval of the color samples prior to Building and Safety Division submittal and review.

Chair Sammut asked if the applicant agreed to the Conditions of Approval. Applicant answered in the affirmative.

Public Comment Open

Public comment closed.

Commissioner Petersen asked Associate Planner Yu if the Commission needed to omit Condition of Approval 3 in the Findings of Fact/Conditions of Approval and corrected Condition of Approval 14 to reflect Longview Dr and not Green Ave. Associate Planner Yu agreed.

**Motion to approve Use Permit 05-45 based on Findings of Fact (1-8) and Conditions of Approval (1-16), with changes as noted to staff.**

**Petersen/Chase**

Commissioner Chase asked if this motion included the condition of Director approval of finished materials. Commissioner Petersen answered in the affirmative, stating that Condition 3 would be omitted and a condition added.

VOTE: 6-0  
AYES: All Commissioners Present  
NOES:  
ABSTAIN:

### **FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, August 26, 2005, and legal notice published in the San Mateo Times, Saturday, August 27, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
8. With the conditions of approval, the off-street parking is adequate for the proposed residence.

## **CONDITIONS FOR APPROVAL**

### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-45 shall not be valid for any purpose. Use Permit 05-45 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. There shall be no walls and/or doors enclosing the interior stairway.
4. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on September 6, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
5. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
6. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
7. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
8. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
9. Finished materials and colors must be approved by the Community Development Director prior to Building and Safety Division submittal and review.

## **Department of Public Works – (650) 616-7065**

10. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
11. A sanitary sewer lateral clean-out shall be installed at property line, per City standards detail SS-01.
12. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
13. No fence, retaining wall or other permanent structure shall be placed within 3'-6" from back of the sidewalk.
14. Paint address number on face of Longview Drive curb near driveway approach. Black lettering on white background.
15. Planting of one (1) 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.
16. During the Building/Planning Review or site visit, it was noticed that you have a brick wall with planters built within the City public right-of-way. In accordance with San Bruno City Code Section 8.08.010 and or Section 5.04.070, this structure is prohibited. You are not required to remove it at this time, you need to be aware that it may be located over top of a public utility. If an emergency does arise that requires City or approved contractor crews to access this utility, the City and or contractor, will not be responsible for any cost associated with the removal or repair of the structure.

Chair Sammut advised of 10-day appeal period.

### **8. 190 Tehama Court**

Request for an amendment to a previously approved Use Permit to allow a 168 sq. ft. addition. Including the previously approved 898 sq. ft. addition, this project proposes to exceed the .55 Floor Area Ratio guideline, and proposes to exceed 2,800 sq. ft. while only having a two car garage per Section 12.200.030.B.1, 12.200.030.B.2, and 12.200.080.A.3 of the San Bruno Zoning Code **UP-04-48 [Amendment]**

Planning Manager Aknin entered staff report.

Planning Manager Aknin stated that a condition was added to revise the proposed second story deck. Staff would like to have the setback changed to five (5) feet and Condition of Approval 15 reflected this. The project architect has agreed to this.



Chair Sammut asked for clarification on the change in the Conditions of Approval. Stated that Condition of Approval 15 now required a five (5) foot setback instead of a three (3) foot setback. Planning Manager Akin answered in the affirmative and that the staircase was also included in this setback.

Chair Sammut asked the applicant to step to the podium and address the Commission.

Applicant Clarissa Cortez introduced herself and stated that she requested the addition because it would make the upper story structurally sound and also increase the size of the kitchen.

Chair Sammut asked if the applicant had read and agreed to the Conditions of Approval. Applicant answered in the affirmative and agreed to the new five (5) foot setback condition.

Planning Manager Akin added that the Conditions of Approval were the same as the applicant's last Use Permit hearing and the only difference was the new five (5) foot setback condition for the upper story deck.

Public comment opened.

Public comment closed.

**Motion to approve the amendment to Use Permit 04-48 based on Findings of Fact (1-8) and Conditions of Approval (1-15) with revised Condition of Approval for a five (5) foot setback instead of a three (3) foot setback.**

**Marshall/Chase**

VOTE: 6-0  
AYES: All Commissioners Present  
NOES:  
ABSTAIN:

### **FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, August 27, 2005, and notices were mailed to property owners within 300 feet of the project site on August 26, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.

4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
8. The off-street parking will be adequate for the residence.

#### **CONDITIONS FOR APPROVAL**

##### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-48 shall not be valid for any purpose. Use Permit 04-48 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. A 4" sewer line shall be required at the fourth toilet to the street connection.
9. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
10. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through an undersidewalk curb drain to the gutter.
11. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
12. A permit shall be required from Parks Department for planting one 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.
13. A sprinkler system has been installed within the City right-of-way. In accordance with San Bruno City Code Chapter 8.08, Section 8.08.010, this structure is not permitted and shall be removed. If an emergency does arise that requires City or approved contractor crews to access this utility, the City and or contractor, will not be responsible for any costs associated with the removal or repair of the structure.
14. No fence, retaining wall, or other permanent structure shall be placed within 4.5 from the back of the sidewalk.
15. Proposed deck plans must be revised to meet the minimum 5' setback from the interior sideyard property line. The staircase leading up the deck must also be setback 5' from the interior sideyard property line.

Chair Sammut advised of 10-day appeal period.

## **9. Amendment to Chapter 12.80 of the San Bruno Municipal Code**

Request for a Zoning Code Text Amendment to define the term “Loft” and make reference to the Uniform Building Code with chapter 12.80 of the San Bruno Municipal Code per Chapter 12.136 of the San Bruno Municipal Code.

Planning Manager Aknin entered staff report and presented a short PowerPoint presentation.

Commissioner Marshall asked if the loft square footage would be included as floor area in Floor Area Ratio calculations. Planning Manager Aknin answered in the affirmative.

Commissioner Petersen asked why the proposed Zoning Text Amendment did not include R1 and R2 zones. Planning Manager Aknin answered that a loft floor would not be as compatible with the single-family residences in R1 and R2 areas, since it would give a residence added height. Staff felt that a loft floor would best fit with multi-family residences in R3 zones. Commissioner Petersen stated that 3<sup>rd</sup> stories were not prohibited in R1 zones however. Planning Manager Aknin answered in the affirmative but added that a 3<sup>rd</sup> story would require a Use Permit. A loft floor proposed in an R1 or R2 zone would thus be considered a 3<sup>rd</sup> story and require the applicant to apply for a Use Permit.

Public comment opened.

Public comment closed.

**Motion to adopt Resolution 05-09 for a Zoning Text Amendment (ZA-05-02) and forward to the City Council based on the following text amendments and attached findings of fact.**

**Marshall/Petersen**

**Roll Call vote: Motion to adopt Resolution 05-09 for a Zoning Text Amendment (ZA-05-02) and forward to the City Council based on the following text amendments and attached findings of fact.**

VOTE: 6-0  
AYES:  
NOES:  
ABSTAIN:

Motion Approved 6-0.

### **TEXT AMENDMENTS**

1. Amend SBMC Section 12.80.293 of the San Bruno Zoning Ordinance, as follows:

12.80.293 Loft Floor

- A. "Loft Floor" means the upper floor level of an individual dwelling unit provided that the upper floor level complies with the following conditions:
1. The upper floor level does not exceed 500 square feet
  2. The upper floor level has at least one permanent opening to the lower level
  3. The area of the upper floor level does not exceed 50% of the area of the lower level
  4. The individual dwelling unit is located within a multifamily residential development
  5. The individual dwelling unit is not located within a Single Family Residential (R-1) or Low Density Residential (R-2) Zoning District.
- B. A "Loft Floor" meeting the conditions set forth in Section 12.80.293(A) above shall not constitute a "Story" as that term is defined within the Uniform Building Code.

2. Amend the SBMC, Section 12.80.007, to read as follows:

**12.80.007 Uniform Building Code (UBC)**

For the purpose of the San Bruno Zoning Ordinance, the Uniform Building Code, as amended periodically, and subject to any amendments, additions, and deletions set forth in this chapter, shall define all words, phrases, and terminology which are not otherwise defined herein. In the event that the definition of any word, phrase, or terminology herein conflicts with a definition within the Uniform Building Code, the definitions set forth herein shall prevail.

**10. City Staff Discussion**

Planning Manager Akin asked for September 15, 2005 Architectural Review Committee Members. Vice Chair Mishra confirmed and Commissioners Biasotti, Chase and Petersen asked to go on standby.

Planning Manager Akin introduced City Manager Connie Jackson.

City Manager Jackson thanked the Commission and introduced new Community Development Director Tambri Hayden as of September 19<sup>th</sup>, 2005. She has most recently worked at the City of Milpitas as the Interim Planning and Neighborhood Services Director with prior experience as Planning Manager of the City of Las Vegas and experience as a Community Development Director in Florida.

Tambri Hayden introduced herself and thanked the Commission.

Chair Sammut welcomed Tambri Hayden as new Community Development Director.

## **11. Planning Commission Discussion**

Chair Sammut thanked Interim Community Development Director Terry Jackson for all of her hard work and guidance.

Planning Manager Akinin thanked Interim Community Development Director Terry Jackson on behalf of the entire Community Development Department.

## **12. Adjournment**

---

**Terry Jackson**

Interim Secretary to the Planning  
Commission  
City of San Bruno

---

**Joe Sammut**, Chair  
Planning Commission  
City of San Bruno

NEXT MEETING: September 6, 2005

TJ/tr

Meeting was adjourned at 7:50 pm